

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROP SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **January 14, 1999** at
8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Sen. Chris Christiaens (D)
Sen. Dale Mahlum (R)
Rep. Red Menahan (D)
Sen. Debbie Shea (D)

Members Excused: Rep. Stan Fisher (R)

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Mary LaFond, OBPP
Linsey Mortensen, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted:
Executive Action: Department of Justice
- Legal Services
- Justice Information System
- Extradition and
Transportation
- Central Services

EXECUTIVE ACTION ON LEGAL SERVICES

*{Tape : 1; Side : A; Approx. Time Counter : 3.9 - 17; Comments :
discussion on federal funds and rent for the forensic lab}*

Motion/Vote: SEN. MAHLUM moved that **base budget and statewide
present law adjustments BE ADOPTED.** Motion **carried** unanimously.*

Representative Fisher voted by proxy

{Tape : 1; Side : A; Approx. Time Counter : 19.9 - 21.5}

Base Budget Adjustment-Major Litigation (DP 10102)

Motion/Vote: SEN. MOHL moved that DP 10102 with restriction BE ADOPTED. Motion **carried unanimously.***

Representative Fisher voted by proxy.

{Tape : 1; Side : A; Approx. Time Counter : 21.5 - 22.7}

Prosecutors to Assist County Attorney (DP 20111)

Motion: SEN. MAHLUM moved that DP 20111 HAVING 1 ATTORNEY BE ADOPTED.

Discussion: Discussion by committee of how they would be funded and what the impacts are from other agencies.

Substitute Motion/Vote: SEN. CHRISTIAENS made a substitute motion that DP 20111 HAVING 2 ATTORNEYS BE ADOPTED. Substitute motion **carried 5-2** with Fisher and Vick voting no.

{Tape : 1; Side : A; Approx. Time Counter : 23.2 - 32}{Tape : 1; Side : B; Approx. Time Counter : 0 - 3.7}

Full Funding for Post Conviction (DP 20115)

Motion: SEN CHRISTIAENS moved DP 20115 BE ADOPTED.

Discussion: Comments by Senator Christiaens and Beth Baker, administrator for the Legal Services division.

Vote: Motion **failed 3-4** with Christiaens, Menahan, and Shea voting aye. *Menahan voted by proxy*

{Tape : 1; Side : B; Approx. Time Counter : 7.8 - 16.9}

Motion/Vote: Sen. Christiaens moved that the LANGUAGE BE ADOPTED. Motion **carried unanimously.**

{Tape : 1; Side : B; Approx. Time Counter : 19.9 - 22; Comments : discussion from Mary LaFond and Attorney General Mazurek on the language.}

Motion/Vote: SEN. MOHL moved that the BUDGET BE ADOPTED AS AMENDED. Motion **carried 5-2** with Christiaens and Menahan voting no. *Menahan voted by proxy*

{Tape : 1; Side : B; Approx. Time Counter : 23.4 - 24.1}

EXECUTIVE ACTION ON JUSTICE INFORMATION SYSTEM

Motion/Vote: SEN. MOHL moved that BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.
{Tape : 1; Side : B; Approx. Time Counter : 25.3 - 25.7}

{Tape : 1; Side : B; Approx. Time Counter : 26.7 - 28.8; Comments : clarification by Mary LaFond}

Base Budget Adjustments -JISD (DP 12901)

Motion: SEN. MOHL moved that DP 12901 WITHOUT THE USE OF GENERAL FUNDS BE ADOPTED.

Discussion: Jandee May and Skip Culver explained the numbers in Table three on page D-33. Christiaens and Mohl made some comments about federal funding.

Vote: Motion carried 4-3 with Christiaens, Menahan, and Shea voting no. *Representative Fisher and Senator Menahan voted with proxy*

{Tape : 1; Side : B; Approx. Time Counter : 28.8 - 32.2}{Tape : 2; Side : A; Approx. Time Counter : 0 - 3.7}

{Tape : 2; Side : A; Approx. Time Counter : 3.7 - 9; Comments : Mary LaFond explains the Legislative Contract Authority}

Legislative Contract Authority (DP 22916)

Motion/Vote: SEN. CHRISTIAENS moved that DP 22916 BE ADOPTED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 11.9 - 12.6}

Motion/Vote: SEN. CHRISTIAENS moved that LANGUAGE FOR THE DEPARTMENT OF JUSTICE BE ADOPTED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 13 - 14}

Criminal Justice Initiatives (DP 22911)

Motion: SEN. CHRISTIAENS moved that DP 22911 BE ADOPTED.

Discussion: Chairman Vick asked about the turnover and the number of FTE. Pembroke explained how they had come up with the number.

Substitute Motion: SEN. MOHL made a substitute motion DP 22911, ACCEPT FEDERAL FUNDING and SEVEN FTE WITHOUT ANY GENERAL FUNDING.

Discussion: Comments made by Art Pembroke and the Attorney General.

Vote: Motion carried 4-3 with Christiaens, Menahan, and Shea voting no. *Representative Fisher voted with proxy*
{Tape : 2; Side : A; Approx. Time Counter : 14 - 32}{Tape : 2; Side : B; Approx. Time Counter : 1 - 8.4}

Systems Development Programming Sup (DP 22917)

Motion: SEN. MOHL moved that DP 22917 BE ADOPTED.

Discussion: Chairman Vick asked about the title and registration programmers. Attorney General Mazurek said that they would support the Motor Vehicle Division. Art Pembroke explained why they were brought up in this division.

Vote: Motion carried unanimously.
{Tape : 2; Side : B; Approx. Time Counter : 10.4 - 17.3}

Motion/Vote: SEN. MOHL moved that the BUDGET BE ADOPTED AS AMENDED. Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

Representative Fisher voted with proxy
{Tape : 2; Side : B; Approx. Time Counter : 18.3 - 19.1}

EXECUTIVE ACTION ON EXTRADITION AND TRANSPORTATION

{Tape : 2; Side : B; Approx. Time Counter : 19.1 - 31; Comments : discussion on transporting juveniles}{Tape : 3; Side : A; Approx. Time Counter : 0 - 5.2}

Motion/Vote: SEN. MOHL moved that the BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

Base Budget Adjustments-TOP (DP 13001)

Motion/Vote: SEN. MOHL moved DP 13001. Motion carried unanimously.

Discussion about the transfer of the transportation coordinator position. Should they move the position to Department of Corrections? Mary LaFond stated that the position was placed in this department because they were going to put it with the Highway Patrol.

Motion/Vote: SEN. MOHL moved that the BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.

(Tape : 3; Side : A; Approx. Time Counter : 5.2 - 14.5; Comments : Discussion after the vote on the position as a contract position or FTE)

EXECUTIVE ACTION ON CENTRAL SERVICES

Motion/Vote: SEN. MOHL moved that THE BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 15.3 - 16.5}

Base Budget Adjustments-CSD (DP 12801)

Motion: SEN. CHRISTIAENS moved that DP 12801 BE ADOPTED.

Discussion: Senator Christiaens and Jandee May discussed training supplies for the department.

Vote: Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 16.5 - 20.4}

Motion/Vote: SEN. CHRISTIAENS moved that THE BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 20.4 - 20.8}

EXECUTIVE ACTION ON COUNTY ATTORNEY PAYROLL

Motion/Vote: SEN. MOHL moved that THE BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

Base Budget Adjustment-Co. Attorney Pay (DP 11901)

Motion: SEN. MOHL moved that DP 11901 BE ADOPTED.

Discussion: Chairman Vick and Jandee May discussed the counties moving their attorney's from part-time to full-time.

Vote: Motion carried unanimously.

Motion/Vote: SEN. CHRISTIAENS moved that THE BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 20.8 - 28.9}

ADJOURNMENT

Adjournment: 10:50 A.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM

EXHIBIT(jih10aad)